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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 F. G. CROSTHWAITE, et al., as Trustees of
13 of the OPERATING ENGINEERS' HEALTH
AND WELFARE TRUST FUND, et al.

14 Plaintiffs,

15 v.

16 GALLETTI & SONS, INC., *aka* GALLETTI
AND SONS, INC., *fka* GALLETTI
17 CONCRETE PUMPING CO., *aka*
GALLETTI CONCRETE, INC., a California
18 Corporation,

19 Defendant.

Case No.: C12-1242 CW

**REQUEST FOR REFUND OF SECURITY
POSTED WITH COURT PER THE
COURT'S AUGUST 10, 2012 ORDER**

20 I, Michele R. Stafford, declare:

21 1. I am an attorney at law licensed to practice in the State of California, and am a
22 shareholder of Saltzman and Johnson Law Corporation, attorneys for Plaintiffs herein.

23 2. As the Court's records will reflect, on August 9, 2012, Plaintiffs filed an
24 Application for Writ of Attachment, Ex-Parte Right to Attach Order, and Temporary Restraining
25 Order with the Court [Dkt. Nos. 24-30].

26 3. On August 10, 2012, the Court issued an Order Granting Plaintiffs' Application for
27 Temporary Restraining Order and Order to Show Cause, ordering Plaintiffs to "post security in the
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1 amount of \$5,000.00 within two (2) court days after the date of this Order.” [Dkt. No. 31.]

2 4. On August 14, 2012, Plaintiffs tendered a check in the amount of \$5,000.00 with
3 the Court, as the required security deposit. [Dkt. No. 33.]

4 5. On October 3, 2012, the Court administratively closed the case, directing the clerk
5 to deliver deposited funds to the Trustee in Defendants’ bankruptcy action.

6 6. In late December 2012, this office was contacted by Ana Banares, Financial Special
7 II, Clerk’s Office Administration, United States District Court for the Northern District, regarding
8 the \$5,000.00 security bond posted with the Court.

9 7. Accordingly, Plaintiffs respectfully request that a refund of the \$5,000.00 security
10 posted with the Court be issued to Plaintiffs, in a check made payable to “Operating Engineers
11 Health & Welfare Trust Fund,” and sent c/o Plaintiffs’ counsel, Michele R. Stafford, Esq., at
12 Saltzman & Johnson Law Corporation, 44 Montgomery Street, San Francisco, California 94104.

13 I declare under penalty of perjury that the foregoing is true and correct and that if called
14 upon as a witness, I could testify to the foregoing on the basis of my personal, direct knowledge.

15 Executed this 9th day of January, 2013, at San Francisco, California.

16
17 /S/Michele R. Stafford
18 Michele R. Stafford

19 IT IS SO ORDERED.

20 Based on the foregoing, and GOOD CAUSE APPEARING, the Court hereby directs the
21 Clerk to issue a refund of \$5,000.00 to Plaintiffs.

22 Date: 1/24/2013

23 
24 THE HONORABLE CLAUDIA WILKEN
25 UNITED STATES DISTRICT COURT
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